

REMARKS

This is in response to the Office Action dated April 16, 2008. Claims 4-34 are pending. Claims 4-34 stand rejected in the outstanding Office Action. Claims 4-6 and 15 have been amended. Claims 1 and 2 have been cancelled.

The rejection of claim 4 under 35 U.S.C. § 103(a), as allegedly being unpatentable over Kawasaki et al. (US 2003/0047785) in view of Goodman (US 4,204,217) and further in view of Wager et al. (US 2003/0218222), is respectfully traversed.

With the amendment of claim 4, it is made clear now that the active layer is formed under an atmosphere containing “(i) one or more of nitrogen monoxide and nitrogen dioxide, and (ii) one or more of water vapor and hydrogen peroxide”. The combination of Kawasaki, Goodman and Wager fails to teach or suggest this limitation.

In rejecting claim 4 (which has been written in independent form incorporating the limitations of claim 1 in the present amendment), the Examiner stated that Wager discloses “forming a ZnO semiconductor layer in an atmosphere that includes at least one sputter gas including Ar and Ne, and at least one film modifying gas including oxidative gases including O₂ and N₂O and dopant gases including N₂ and NH₃, and therefore the atmosphere can include a mixture of dinitrogen monoxide (N₂O) and ammonia (NH₃)”.

It is respectfully submitted that Wager fails to teach that the atmosphere under which the active layer is formed contains (i) one or more of nitrogen monoxide and nitrogen dioxide, and (ii) one or more of water vapor and hydrogen peroxide. None of the above gases is cited in Wager’s listing of film-modifying gases.

For the above reasons, claim 4 is allowable.

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It is respectfully requested that claims 5-34, each one dependent from claim 4, also be withdrawn.

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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